

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
POP TOP CORP., :  
: Plaintiff, :  
: : 20-CV-6598 (VSB)  
-against- :  
: :  
NOOK DIGITAL, LLC, :  
: Defendant. :  
: :  
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**ORDER**

VERNON S. BRODERICK, United States District Judge:

On July 3, 2024, I granted attorney Matthew Wawrzyn's motion for leave to withdraw as counsel for Plaintiff. (Doc. 55.) In so doing, I stayed the case until September 2, 2024 so that new counsel could appear, as corporate parties may not proceed in federal court pro se. (*Id.*) I then extended Plaintiff's deadline to appear until August 16, 2024. (Doc. 56.) To date, no new counsel for Plaintiff has entered an appearance, and Plaintiff has not taken any other action to prosecute the case. Accordingly, it is hereby:

ORDERED that Plaintiff must retain new counsel, who must enter an appearance by October 21, 2024. If Plaintiff fails to do so, or otherwise demonstrate an intent to prosecute this litigation, I will dismiss this case for failure to prosecute. *See* Fed. R. Civ. P. 41(b).

The Clerk of Court is respectfully directed to send a copy of this order to attorney Wawrzyn via mail and CM/ECF. Attorney Wawrzyn shall cause a copy of this order to be delivered to a suitable representative of Plaintiff Pop Top, such as the principal discussed in the letter motion at Doc. 53.

SO ORDERED.

Dated: October 2, 2024  
New York, New York



Vernon S. Broderick  
United States District Judge